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*Attorneys for John Trotter, Trustee of the PG&E Fire Victim Trust*

[Additional counsel appear in signature block]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

JOHN TROTTER, Trustee of the PG&E FIRE  
VICTIM TRUST,

Plaintiff,

v.

LEWIS CHEW, ANTHONY F. EARLEY, JR.,  
FRED J. FOWLER, RICHARD C. KELLY,  
ROGER H. KIMMEL, RICHARD A.  
MESERVE, ERIC D. MULLINS, FORREST E.  
MILLER, ROSENDO G. PARRA, BARBARA  
L. RAMBO, ANNE SHEN SMITH, JASON P.  
WELLS, PATRICK M. HOGAN, and GEISHA  
J. WILLIAMS,

Defendants,

and

PG&E CORPORATION,

Nominal Defendant.

Case No. 5:18-cv-04698-EJD

**STIPULATION AND  
~~PROPOSED~~ ORDER  
VOLUNTARILY  
DISMISSING ACTION**

1           **WHEREAS**, on August 6, 2018, Plaintiff Oklahoma Firefighters Pension & Retirement  
 2 System filed the present shareholder derivative complaint on behalf of Nominal Defendant  
 3 PG&E Corporation (“PG&E”) against the Individual Defendants;<sup>1</sup>

4           **WHEREAS**, on January 29, 2019, PG&E commenced a voluntary Chapter 11 proceeding  
 5 (the “Chapter 11 Cases”) in the United States Bankruptcy Court for the Northern District of  
 6 California (the “Bankruptcy Court”);

7           **WHEREAS**, Justice John Trotter (Ret.) has been appointed as the Trustee of the PG&E  
 8 Fire Victim Trust, with full authority to pursue the Assigned D&O Rights and Causes of Action  
 9 on behalf of the PG&E Fire Victim Trust consistent with the terms of the PG&E Fire Victim Trust  
 10 Documents and the Plan and Confirmation Order;

11           **WHEREAS**, on December 14, 2020, the Court entered an order substituting the Trust for  
 12 Oklahoma Firefighters Pension & Retirement System as Plaintiff;

13           **WHEREAS**, the Trust has elected to pursue the relevant claims through related, first-filed  
 14 actions pending in San Francisco Superior Court, and thus desires to voluntarily dismiss this  
 15 action without prejudice;

16           **NOW, THEREFORE**, the parties stipulate and respectfully request that the Court enter  
 17 the [proposed] order providing as follows:

- 18           1. Pursuant to F.R.C.P. 41(a), Plaintiff voluntarily dismisses this action, with all parties  
 19           to bear their own costs and fees.

20 **IT IS SO STIPULATED.**

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 26 <sup>1</sup> The “Individual Defendants” named in the complaint include: Lewis Chew, Richard C.  
 27 Kelly, Richard A. Meserve, Rosendo G. Parra, Anne Shen Smith, Fred J. Fowler, Roger H.  
 28 Kimmel, Forrest E. Miller, Eric D. Mullins, Barbara L. Rambo, Geisha J. Williams, Anthony F.  
 Early Jr., Jason P. Wells, and Patrick M. Hogan.

1 Dated: March 10, 2021

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Dated: March 10, 2021

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1 Dated: March 10, 2021

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15 Dated: March 10, 2021

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*Attorneys for Defendants Geisha J. Williams,  
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Patrick M. Hogan*

\* \* \*

Pursuant to stipulation of the parties,

**IT IS SO ORDERED.**

Dated: 3/11/2021



EDWARD J. DAVILA  
UNITED STATES DISTRICT COURT JUDGE

**ATTESTATION CLAUSE**

I, Francis A. Bottini, Jr., am the ECF User whose identification and password are being used to file this Stipulation and [Proposed] Order Voluntarily Dismissing Action. I hereby attest that the above-signed counsel have concurred in this filing. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 10th day of March, 2021 at La Jolla, California.

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